

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Takuya Tamatani et al. Art Unit : 1644
Serial No. : 10/723,602 Examiner : Ilia I. Ouspenski
Filed : November 25, 2003 Conf. No. : 3400
Title : METHODS OF TREATING AN INFLAMMATORY DISEASE WITH A JTT-1
POLYPEPTIDE

Mail Stop Amendment |
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), Japan Tobacco Inc. ("the Assignee"), a corporation duly organized and existing under the laws of Japan and having a principal place of business at 2-1, Toranomon 2-chome, Minato-ku, Tokyo 105-8422, Japan, certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application Serial No. 10/723,602, filed November 25, 2003, by virtue of an assignment (recorded in the Patent and Trademark Office on November 26, 1999, at Reel 010426, Frame 0918) from the inventors of the patent application to the Assignee.

The Assignee also certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application Serial No. 10/704,072, filed November 7, 2003, by virtue of the above-recited assignment.

The undersigned is empowered to act on behalf of the Assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the Assignee hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of the patent granted upon application serial number 10/704,072. Further, any patent granted on the above identified application shall be enforceable only for and during such period that said patent is commonly owned with the patent granted upon application serial number 10/704,072.

The Assignee does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of the patent granted upon application serial number 10/704,072 in the event that the patent granted upon application serial number 10/704,072 later: expires for failure to pay a maintenance fee; is held

Applicant : Takuya Tamatani et al.
Serial No. : 10/723,602
Filed : November 25, 2003
Page : 2 of 2

Attorney's Docket No.: 14539-004011 / JF-52US-D5-C1

unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321; has all claims cancelled by a reexamination certificate; or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

The \$130 fee required pursuant to 37 C.F.R. 1.20(d) is being paid concurrently herewith on the Electronic Filing System by way of Deposit Account authorization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

JAPAN TOBACCO INC.

Date: 2/16/07



By: Yoshinori Inubushi

Title: Vice president, Intellectual Property